

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KAREN GROUND,

Case No. 3:11-cv-403

Plaintiff,

Judge Timothy S. Black

vs.

KONDAS DENTAL GROUP, INC., *et al.*,

Defendants.

**ORDER: (1) DISMISSING COUNT III; AND (2) TERMINATING THIS
CASE FROM THE DOCKET OF THE COURT**

This civil action comes before the Court *sua sponte* on Plaintiff's third cause of action for wrongful discharge in violation of Ohio public policy. *See* Ohio Rev. Code § 2913.47, 2913.42, and 2913.02. This Court recently granted the parties' joint motion for settlement of the federal claims (Doc. 10), and therefore may properly dismiss the remaining pendent state-law claim. Indeed, in a case such as this, where all federal claims are dismissed long before trial, the favored approach is to dismiss the case without prejudice. *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 (1988) ("When the balance of these factors [judicial economy, convenience, fairness and comity] indicates that a case properly belongs in state court, as when the federal-law claims have dropped out of the lawsuit in its early stages and only state-law claims remain, the federal court should . . . dismiss[] the case without prejudice.").

The Court finds that this case is exactly the type of case contemplated by the law favoring dismissal, as this case is still in its early stages. Therefore, the Court declines to

exercise jurisdiction over the remaining state law claim and *sua sponte* **DISMISSES** Count III **WITHOUT PREJUDICE** and **TERMINATES** this civil action from the docket of the Court.

IT IS SO ORDERED.

Date: 3/14/12

Timothy S. Black
Timothy S. Black
United States District Judge